IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 07.02.2006

Coram:-

The Hon'ble Mr. Justice P.SATHASIVAM
and
The Hon'ble Mr. Justice J.A.K.SAMPATHKUMAR

Habeas Corpus Petition No.112 of 2006

Ammani @ Rizwan ... Petitioner

vs.

1. State by
Inspector of Police,
S.I.T., Crime Branch,
C.I.D., Trichy.

2. The Superintendent,
Central Prison, Chennai-3. ... Respondents

Petition under Article 226 of the Constitution of India for the issuance of writ of Habeas Corpus directing the respondents to produce the body of the petitioner Ammani @ Rizwan before this Court and set him at liberty.

For petitioner : Mr.P.Pugalenthi
For Respondents : Mr.M.K.Subramanian,
Govt. Advocate (Crl. Side)

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O R D E R

(Order of the Court was made by P.SATHASIVAM, J.)

The petitioner/A-8 in Sessions Case No.14 of 2001 on the file of the Special Court for the Exclusive Trial of Bomb Blast Cases at Poonamallee has filed this Habeas Corpus Petition seeking direction to the respondents for setting him at liberty in view of the reasons stated in the affidavit filed in support of the petition.

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2. Heard learned counsel for the petitioner as well as learned Government Advocate for the respondents.

3. The main grievance of the petitioner is that though he filed a Bail Application in Crl.M.P. No.60 of 2004 before the Special Court for the Exclusive Trial of Bomb Blast Cases at Poonamallee on 27.09.2004, the same is kept pending. Learned counsel for the petitioner submitted that even though written arguments have been filed subsequent to filing of the Bail Petition, no order has been passed thereon till date.

4. It is brought to our notice that a new Officer (Special Judge) has been posted for the Special Court for the Exclusive Trial of Bomb Blast Cases at Poonamallee. In such circumstances, the Special Judge is directed to dispose of Crl.M.P. No.60 of 2004 said to have been filed by the petitioner/A-8 in Sessions Case No.14 of 2001 in accordance with law expeditiously.

Though learned counsel for the petitioner has raised contentions relating to merit on the petitioner's (Accused No.8) involvement, we are of the view that the same cannot be gone into in this Petition and he is free to raise the same before the Special Court at the appropriate time.

5. With the above observation, this Habeas Corpus Petition is dismissed.

JI.

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

To
1. The Special Judge,
   Bomb blast cases at Poonamallee.

2. Inspector of Police,
   S.I.T., Crime Branch, C.I.D., Trichy.

3. The Superintendent, Central Prison, Chennai-3.

4. The Public Prosecutor, High Court, Madras
+1 CC to Mr.P.Pugalenthi, Advocate, SR No.4965.

HCP No.112 of 2006.

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